

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

United States of America,

Case No. 2:10-cr-00221-RFB-GWF

Plaintiff,

ORDER

Lonnie Troy,

Defendant.

On May 27, 2021, this Court denied, without prejudice, defendant Lonnie Troy's Compassionate Release Request under the First Step Act. ECF No.'s 74, 78, & 87.

Under 18 U.S.C. § 3624(c)(2), the Federal Bureau of Prisons (“BOP”) has statutory authority to place a prisoner serving a federal prison term in home confinement for the concluding portion of his sentence. In connection with the COVID-19 pandemic, Congress expanded the authority of the Director of the BOP to place federal prisoners in home confinement earlier than that statutory period. *See* Coronavirus Aid, Relief, and Economic Security Act, Pub. L. No. 116-136, § 12003(b)(2), 134 Stat. 281, 516 (2020) (“CARES Act”).

In section 12003(b)(2) of the CARES Act, Congress expanded BOP's preexisting discretion to employ home confinement providing that during the covered emergency period, if the Attorney General finds that emergency conditions will materially affect the functioning of the BOP, the Director of the

1 BOP may lengthen the maximum amount of time for which the BOP is
2 authorized to place a prisoner in home confinement under the first sentence of
3 section 18 U.S.C. § 3624(c)(2) as the Director determines appropriate.

4 This court also has the authority to make “non-binding recommendations
5 to the Bureau of Prisons at any time.” *United States v. Ceballos*, 671 F.3d 852,
6 856 n. 2 (9th Cir. 2011).

7 Given the unique facts and circumstances of this matter, this Court hereby
8 recommends to the Director of the BOP that defendant Lonnie Troy be permitted
9 to serve the final 12 months of his sentence on home confinement.

10 Accordingly,

11 IT IS SO ORDERED.

13 DATED this 8th day of July, 2021.



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15 RICHARD F. BOULWARE, II
16 UNITED STATES DISTRICT JUDGE
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